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Organization of work, adoption of the agenda and allocation of items: reports of the General Committee

Prevention of armed conflict

Identical letters dated 12 October 2006 from the Permanent Secretary of the Ministry for Foreign Affairs and Immigration of Kiribati addressed to the Secretary-General and the President of the General Assembly

I am writing to kindly request for a legal opinion to be sought and given on serious violations of the rules of procedure of the General Assembly.

On 12 September 2006, the matter came before the General Committee with regard to a proposal co-sponsored by the Republic of Kiribati. The proposal was listed under item 155, "Question of the representation and participation of the 23 million people of Taiwan in the United Nations" of the draft agenda (see A/BUR/61/1). Contrary to rules 40, 41 and 43 of the rules of procedure, the General Committee chose to amalgamate this proposal with another distinct proposal, listed under item 41, "A proactive role for the United Nations in maintaining peace and security in East Asia", into one item and to arbitrarily limit the number of speakers — a clear violation of the rules of procedure of the General Assembly.

The amalgamation constituted a political judgement, without transparency, of two entirely distinct issues. The question of the representation of Taiwan entails an analysis of a body of law and precedent which is entirely distinct from the question raised by the proposal for a proactive role for the United Nations in maintaining peace and security in East Asia. The proposals call for distinct remedies and actions by the United Nations. There is simply nothing about them that justifies their amalgamation. The Government of Kiribati insists upon their separate consideration.

In any event, the amalgamation has no precedent in the history of the United Nations. My suspicion is that it was undertaken simply because it involves the matter of Taiwan and China. That is not a good excuse to create such a demoralizing precedent.

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The Member States who co-sponsored the proposals have the same rights as any other Member State to present both procedural and substantive matters to the United Nations, including this one. On the basis of this, I would like to ask for a legal opinion to confirm the views set out above and request that it be done expeditiously.

It would also be highly appreciated if the present letter could be circulated as a document of the sixty-first session of the General Assembly.

(*Signed*) Elliot **Ali**
Permanent Secretary
Ministry for Foreign Affairs and Immigration
Republic of Kiribati